

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
PAINTING INDUSTRY INSURANCE FUND and)	Index No.: 21-CIV-2530 (PMH)
TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
PAINTING INDUSTRY ANNUITY FUND and)	
TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
FINISHING TRADES INSTITUTE and TRUSTEES)	
OF THE INTERNATIONAL UNION OF PAINTERS)	DEFAULT JUDGMENT
AND ALLIED TRADES NATIONAL PENSION FUND)	
and THE DISTRICT COUNCIL NO. 9 INTERNATIONAL)	
UNION OF PAINTERS AND ALLIED TRADES,)	
)	
)	
Plaintiffs,)	
-against-)	
)	
JWS TIMES, LLC,)	
)	
)	
Defendant.)	
)	

This action having been commenced on March 24, 2021 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the Defendant, JWS TIMES, LLC, on March 26, 2021 via NYS Secretary of State and said Proof of Service having been filed with the Clerk of the Court on March 31, 2021 and the Defendant not having appeared, answered or otherwise moved with respect to the Complaint within the time allowed by law, and the time for appearing, answering or otherwise moving having expired it is,

~~ORDERED, ADJUDGED AND DECREED: that the Plaintiffs have judgment against Defendant in the liquidated amount of Two Thousand Four Hundred Eighty Eight Dollars (\$2,488.00), which includes the following: attorneys' fees in the sum of \$2,015.00 and court costs and disbursements of this action in the sum of \$473.00.~~ PMH

ORDERED, that the Defendant permit and cooperate in the conduct of an audit of all of its books and records including, but not limited to, all payroll journals, business income tax returns,

general ledger and journal, books of original entry, subsidiary ledgers, payroll records, bank statements, and cancelled checks, W-2 and W-3 forms, 940, 941, WT4-A and WT4-B forms, 1099 forms, New York State employment report, insurance reports, disability insurance reports, Workers Compensation report forms and remittance reports for the period January 1, 2018 through to December 31, 2020 and directing that the Court retain jurisdiction for the limited purpose of permitting Plaintiffs to amend the judgment should the Defendant comply with the audit to include the additional amounts determined by the audit to be due and owing, together with the interest, liquidated damages, auditors' fees and attorneys' fees.

~~ORDERED, that the Judgment rendered by the court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant and the Clerk of the Court is directed to enter such judgment forthwith.~~

~~Dated: White Plains, New York~~
~~, 2021~~

So Ordered:

~~Honorable Philip M. Halpern, U.S.D.J.~~

in accordance with the terms and conditions of the Painters Trade Agreement (Doc. 13-1); and it is further

ORDERED, that the Court shall retain jurisdiction over this action for the limited purpose of permitting Plaintiffs to supplement their application by affidavit by a person with personal knowledge, and memorandum of law in support thereof, to include the amounts, if any, determined by the audit to be due and owing, together with interest, liquidated damages, auditors' fees, and attorneys' fees; and it is further

ORDERED, that the Judgment rendered by the Court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant and the Clerk of the Court is directed to enter such judgment forthwith.

SO ORDERED:

Dated: White Plains, New York
September 27, 2021

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written over a horizontal line.

Philip M. Halpern
United States District Judge